

ORIGINAL

BEFORE THE
Federal Communications Commission

WASHINGTON, D C 20554

RECEIVED - FCC

OCT 28 2003

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.
(Pine Haven, Wyoming)

)
) RM-_____
)
)

Federal Communication Commission

Bureau / Office

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NOV 12 2003

Federal Communications Commission
Office of the Secretary

TO: Chief, Allocations Branch

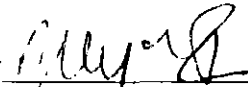
AMENDMENT TO PETITION FOR RULEMAKING

Michael Radio Group ("MRG") the licensee of KRKI(FM), Newcastle, Wyoming, submits this Amendment to its Petition for Rulemaking filed on September 5, 2003. Specifically, the Amendment is filed to incorporate the already filed one step upgrade minor modification application (File No . 20030919AAU) attached. The minor modification application requests an upgrade of KRKI(FM) from Channel 258A to Channel 258C0. As explained in the Petition for Rulemaking, the one step upgrade requires the substitution of Channel 260A for the vacant and unused allotment on Channel 259A at Pine Haven, Wyoming.

MRG respectfully requests that the pending minor modification application be incorporated in the pending Petition for Rulemaking.

Respectfully submitted,

MICHAEL RADIO GROUP

By 
A Wray Fitch III
Its Counsel

GAMMON & GRANGE, P.C.
8280 Greensboro Drive, 7th Floor
McLean, VA 22102-3807
(703) 761-5000

October 28, 2003

FCC MB - CDBS Electronic Filing
Application Reference Number: 20030919AAU
Successfully filed at Sep 19 2003 1:32PM

Electronically Filed

A Fee Payment is Required for this application.

You can use the FCC's Electronic Form 159 System to pay electronically and/or to print out an appropriate Form 159. Press the button below now or return to this screen later by pressing the "Pay Fee" button on the CDBS Main Menu. See the [CDBS User's Guide](#) for more information about fee payment.

Applicant TIN (if applicable)

[Electronic Form 159](#) !

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**YOUR TRANSACTION HAS BEEN
APPROVED AND FORM 159 HAS BEEN
SUBMITTED.**

FOR YOUR RECORDS, PLEASE NOTE THE FOLLOWING:

- REMITTANCE ID NUMBER **417917**
- AUTHORIZATION NUMBER **099859**

Print form and retain for your records.

Printed 159 Form

To close this window, use this button below

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Remittance ID:417917 Authorization Number:099859 -- Successful Authorization -- FILE COPY ONLY!! --

READ
INSTRUCTIONS
CAREFULLY BEFORE
PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION REMITTANCE ADVICE PAGE NO.1 OF 1

APPROVED BY OMB
3060-058
SPECIAL USE
FCC USE ONLY

(1) LOCKBOX #358195

SECTION A - Payer Information

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)
Gammon & Grange, P.C

(3) TOTAL AMOUNT PAID (dollars and cents)
\$800.00

(4) STREET ADDRESS LINE NO. 1
8280 Greensboro Drive, 7th Floor

(5) STREET ADDRESS LINE NO. 2

(6) CITY
McLean

(7) STATE
VA

(8) ZIP CODE
22102

(9) DAY TIME TELEPHONE NUMBER (INCLUDING AREA CODE)
703 - 7615000

(10) COUNTRY CODE (IF NOT IN U.S.A.)
US

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)
0005797931

(12) FCC USE ONLY

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME
MICHAEL RADIO GROUP

(14) STREET ADDRESS LINE NO. 1
6807 FOXGLOVE DRIVE

(15) STREET ADDRESS LINE NO. 2

(16) CITY
CHEYENNE

(17) STATE
WY

(18) ZIP CODE
82009-

(19) DAY TIME TELEPHONE NUMBER (INCLUDING AREA CODE)
3077789318

(20) COUNTRY CODE (IF NOT IN U.S.A.)
USA

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN)
0005085022

(22) FCC USE ONLY

COMPLETE SECTION C FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) FCC Call Sign/Other ID
KRK1

(24A) Payment Type Code(PTC)
MPR

(25A) Quantity
1

(26A) Fee Due for (PTC)
\$800.00

(27A) Total Fee
\$800.00

FCC Use Only

(28A) FCC CODE 1
89114

(29A) FCC CODE 2
CDBS20030919AAU

(23B) FCC Call Sign/Other ID	(24B) Payment Type Code(PTC)	(25B) Quantity
(26B) Fee Due for (PTC)	(27B) Total Fee	FCC Use Only
(28B) FCC CODE 1	(29B) FCC CODE 2	

Federal Communications Commission
Washington, D.C. 20554

Approved by OMB FOR FCC USE ONLY
3060-0027 (June 2002)

FCC 301

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY
1111 NO

Read INSTRUCTIONS Before Filling Out Form

Section I - General Information

1. Legal Name of the Applicant
MICHAEL RADIO GROUP

Mailing Address
6807 FOXGLOVE DRIVE

City
CHILYENNE

State or Country (if foreign
address)
WY

ZIP Code
82009 -

Telephone Number (include area code)
3077789318

E-Mail Address (if available)
VICMICHAEL@AOL.COM

FCC Registration Number - Call Sign
0005085022 KRKI

Facility ID Number
89114

2. Contact Representative (if other than Applicant)
A WRAY FITCH III

Firm or Company Name
GAMMON & GRANGE

Telephone Number (include area code)
7037615013

E-Mail Address (if available)
AWF@GG-LAW.COM

3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114)

☐ Governmental Entity ☐ Other

4. **Application Purpose**

- ☐ New station ☐ Major Modification of construction permit
☐ Major Change in licensed facility ☐ Minor Modification of construction permit
☒ Minor Change in licensed facility ☐ Major Amendment to pending application
☐ Minor Amendment to pending application

(a) File number of original construction permit

☒ NA

(b) Service Type

☐ AM ☒ FM ☐ TV ☐ DTV

(c) Community of License

City NEWCASTLE

State WY

(d) Facility Type

☒ Main ☐ Auxiliary

If an amendment, **submit as an Exhibit** a listing by
Section and Question Number the portions of the
pending application that are being revised

[Exhibit 1]

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

- 1 **Certification.** Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets. ☒ Yes ☐ No
- 2 **Parties to the Application.**
- a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and or members. Create a separate row for each individual or entity. Attach additional pages if necessary.
- | | |
|--|--|
| (1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners. | (2) Citizenship |
| | (3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's equity/debt plus standard, etc. |
| | (4) Percentage of votes |
| | (5) Percentage of total assets (equity plus debt) |

[Enter Parties Owners Information]

Parties to the Application

List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and or members. Create a separate row for each individual or entity. Attach additional pages if necessary.

- (1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners.
- (2) Citizenship
- (3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's **equity/debt plus** standard, etc.
- (4) Percentage of votes
- (5) Percentage of total assets (equity plus debt)

(1) Name and Address	(2) Citizenship	(3) Positional Interest	(4) Percentage of Votes	(5) Percentage of Assets
VICTOR A. MICHAEL, JR. 6807 FOXGLOVE DRIVE, CHICAGO, ILL. 60637	US	PARTNER	50	50

(1) Name and Address	(2) Citizenship	(3) Positional Interest	(4) Percentage of Votes	(5) Percentage of Assets
VAN A, MICHAEL, 4271 MUNCY-EXCHANGE ROAD, HURBOVILLE, PA 17772	US	PARTNER	50	50

b. Applicant certifies that equity and financial interests not set forth above are non-attributable

☒ Yes ☐ No
☐ N/A

See Explanation in
[Exhibit 2]

3 **Other Authorizations.** List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest

☐ N/A

[Exhibit 3]

4

Multiple Ownership.

a. Applicant certifies that the proposed facility

☒ Yes ☐ No

See Explanation in
[Exhibit 4]

1. complies with the Commission's multiple and cross-ownership rules,
2. does not present an issue under the Commission's policies relating to media interests of immediate family members,
3. complies with the Commission's policies relating to future ownership interests, and
4. complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors

b. Radio Applicants Only. If the grant of the application would result in certain principal community service contour overlaps, see Local Radio Ownership Worksheet, Question 1, applicant certifies that all relevant information has been placed in public inspection file(s) and submitted to the Commission

☐ Yes ☐ No
☒ N/A

See Explanation in
[Exhibit 5]

5 **Character Issues.** Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with

☒ Yes ☐ No

a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application, or

See Explanation in
[Exhibit 6]

b. any pending broadcast application in which character issues have been raised

6 **Adverse Findings.** Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit, or discrimination

☒ Yes ☐ No

See Explanation in
[Exhibit 7]

7 **Alien Ownership and Control.** Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments

☒ Yes ☐ No

See Explanation in
[Exhibit 8]

- 8 **Program Service Certification.** Applicant certifies that it is cognizant of and will comply with its obligations as a commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area ☒ Yes ☐ No
- 9 **Local Public Notice.** Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580 ☒ Yes ☐ No
- 10 **Auction Authorization.** If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a) that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b) if applicable ☐ Yes ☐ No
☒ N/A [Exhibit 9]
- An exhibit is required unless this question is inapplicable**
- 11 **Anti-Drug Abuse Act Certification** Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862 ☒ Yes ☐ No
- 12 **Equal Employment Opportunity (EEO).** If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A ☐ Yes ☐ No
☒ N/A

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing
 VICTOR A. MICHAEL, JR.
 Signature

Typed or Printed Title of Person Signing
 PARTNER
 Date
 9/19/2003

WHITFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503)

Section III-B - FM Engineering

TECHNICAL SPECIFICATIONS

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1. Channel Number 258
2. Class (select one)
☐ A ☐ B1 ☐ B ☐ C3 ☐ C2 ☐ C1 ☒ C0 ☐ C ☐ D
3. Antenna Location Coordinates (NAD 27)

Latitude

Degrees 43 Minutes 52 Seconds 10 ☒ North ☐ South

Longitude

Degrees 103 Minutes 45 Seconds 4 ☒ West ☐ East

4 One Step Proposal Allotment Coordinates (NAD 27) ☐ Not Applicable

Latitude

Degrees 43 Minutes 52 Seconds 10 ☒ North ☐ South

Longitude

Degrees 103 Minutes 45 Seconds 4 ☐ West ☐ East

5 Antenna Structure Registration Number 1009681

☐ Not Applicable ☐ Notification filed with FAA

6 Overall Tower Height Above Ground Level

51 meters

7 Height of Radiation Center Above Mean Sea Level

2192 meters(H)

2192 meters(V)

8 Height of Radiation Center Above Ground Level

31 meters(H)

31 meters(V)

9 Height of Radiation Center Above Average Terrain

302 meters(H)

302 meters(V)

10 Effective Radiated Power

100 kW(H)

100 kW(V)

11 Maximum Effective Radiated Power ☒ Not Applicable
(Beam-Tilt Antenna ONLY)

kW(H)

kW(V)

12 Directional Antenna Relative Field Values ☒ Not applicable (Nondirectional)

Rotation (Degrees)

☐ No Rotation

Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	

Additional
Azimuths

Relative Field Polar Plot

NOTE In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

CERTIFICATION

**AUXILIARY ANTENNA APPLICANTS ARE NOT REQUIRED TO RESPOND TO ITEMS 13-16.
PROCEED TO ITEM 17.**

13 **Allotment** The proposed facility complies with the allotment requirements of
47 C.F.R. Section 73.203

☒ Yes ☐ No

See Explanation in
[Exhibit 21]

- 14 **Community Coverage.** The proposed facility complies with 47 C.F.R. Section 73.315 ☒ Yes ☐ No
See Explanation in [Exhibit 22]
- 15 **Main Studio Location.** The proposed main studio location complies with 47 C.F.R. Section 73.1125 ☒ Yes ☐ No
See Explanation in [Exhibit 23]
- 16 **Interference.** The proposed facility complies with all of the following applicable rule sections. Check all those that apply. ☐ Yes ☒ No
See Explanation in [Exhibit 24]

Separation Requirements.☒ a) 47 C.F.R. Section 73.207**Grandfathered Short-Spaced.**☐ b) 47 C.F.R. Section 73.213(a) with respect to station(s) [Exhibit 25]**Exhibit required**☐ c) 47 C.F.R. Section 73.213(b) with respect to station(s) [Exhibit 26]**Exhibit required**☐ d) 47 C.F.R. Section 73.213(c) with respect to station(s) [Exhibit 27]**Exhibit required.****Contour Protection**☐ e) 47 C.F.R. Section 73.215 with respect to station(s) [Exhibit 28]**Exhibit required.**

- 17 **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an **Exhibit is required.** ☒ Yes ☐ No
See Explanation in [Exhibit 29]

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

PREPARERS CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.

SECTION III - PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief

Name	Relationship to Applicant (e.g., Consulting Engineer)	
VICTOR A. MICHAEL, JR.	TECHNICAL CONSULTANT	
Signature	Date	
	9/19/2003	
Mailing Address		
6807 FOXGLOVE DRIVE		
City	State or Country (if foreign address)	Zip Code
CHEYENNE	WY	82009
Telephone Number (include area code)	E-Mail Address (if available)	
3077789318	VICMICHAEL@AOL.COM	

WHILE FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503)

Exhibits

Exhibit 3

Description: OTHER BROADCAST INTERESTS

1) MOUNTAIN STATES RADIO, INC. IS THE LICENSEE OF KRAE(AM), CHEYENNE, WY (FACID 35510) AND KRRR(FM) CHEYENNE, WYOMING (FACID 35511). VICTOR A. MICHAEL, JR. AND LORI L. MICHAEL OWN 50 PERCENT OF THE STOCK JOINTLY AND VAN A. MICHAEL AND KIMBERLY J. MICHAEL JOINTLY OWN 50 PERCENT OF THE STOCK. EACH IS A DIRECTOR. VICTOR A. MICHAEL, JR. IS PRESIDENT AND VAN MICHAEL IS SECRETARY TREASURER.

2) LARAMIE MOUNTAIN BROADCASTING, L.L.C. IS THE LICENSEE OF KKHI(AM), LARAMIE, WY (FACID 10333), KIMX(FM), TIVNATH CO (FACID 38345), KRQU(FM), LARAMIE, WYOMING (FACID 9761), AND KREQ(FM), PINE BLUFFS, WY (FACID 79134). VICTOR A. MICHAEL, JR. IS THE SOLE MEMBER OF LARAMIE MOUNTAIN BROADCASTING, L.L.C.

3) BLUE MOOSE BROADCASTING, L.L.C. IS THE LICENSEE OF WSAG(FM), PINCONNING, MI (FACID 87624). VICTOR A. MICHAEL, JR. IS A 22.5% MEMBER OF BLUE MOOSE BROADCASTING.

Attachment 3

Exhibit 24

Description: ENGINEERING EXHIBIT E-1

Attachment 24

Description

Engineering Exhibit E-1

Exhibit 29

Description: ENGINEERING EXHIBIT E-2

Attachment 29

Description

Engineering Exhibit E-2

EXHIBIT E-1
Allotment Study
KRKI Newcastle, WY
Michael Radio Group

KRKI seeks to one step upgrade from a class A to a Class C0 on channel 258. It is proposing to relocate its transmitter location to an existing tower site on Bear Mountain east of Newcastle, Wyoming.

Figure 1 of this exhibit shows a channel spacing study showing that KRKI would meet spacing to all existing station under 73.207. However, this site would be short spaced to a currently vacant allotment, channel 259A, at Pine Haven, Wyoming. Michael Radio Group ("MRG") has identified an alternate channel that could be substituted at Pine Haven, channel 260A (see Figure 2), and not require a change in the location or class of this allotment.

MRG is filing a Petition for Rulemaking to substitute channel 260A for channel 259A for the vacant allotment at Pine Haven, Wyoming, concurrent with this minor frequency application for KRKI Newcastle, Wyoming. If the allotment is changed at Pine Haven, the spacing requirement towards this allotment will be reduced from 152 kilometers to 80 kilometers, since it will become a second adjacent channel station instead of a first adjacent channel station. The spacing towards this allotment from the proposed Bear Mountain site is 100.65 kilometers.

Once the channel is substituted at Pine Haven, KRKI will be able to operate from the new Bear Mountain tower location and meet full spacing towards all other stations.

Exhibit B-1, Figure 1
KRKI Newcastle, Wyoming

DISPLAY DATES
DATA 07-16-03
SEARCH 07-17-03

CLASS - CB
Current Spacings
---- Channel 253 99.5 MHz -----

	Power	Location	Dist	Azi	FCC	Margin
	1.5A	Newcastle	WY 37.84	263.9	215.0	177.16
1110	1.5A	Pine Bluff	WY 100.65	303.1	152.0	51.35
1120	1.5A	Rosebud	SD 249.87	105.9	220.0	20.67
1130	1.5A	Chugwater	WY 250.25	200.8	215.0	35.25
1140	1.5A	Douglas	WY 192.08	222.2	152.0	40.08
1150	1.5A	Manville	WY 140.03	210.3	94.0	46.03
1160	1.5A	Mitchell	NE 214.02	181.3	152.0	62.02
1170	1.5A	Mobridge	SD 327.27	54.3	259.0	68.27
1180	1.5A	Colstrip	MT 330.85	321.8	259.0	71.85

Exhibit B-1, Figure 2
 Alternate Channel for Pine Haven, Wyoming

NAME: LEM
 CLASS: A
 Current Spacings
 Channel 25 - 29.9 MHz
 DISPLAY DATES
 DATA 07-16-03
 SEARCH 07-17-03

	NAME	Location	Dist	Azi	FCC	Margin
	200A	Pine Haven	WY 00	0.0	72.0	72.00
	208A	Newcastle	WY 75.15	140.6	31.0	41.15
	210A	Glendon	WY 175.50	190.6	133.0	46.50
	25201	Rapid City	SD 128.68	103.9	75.0	53.68
SP-HAV	206A	Spearfish	SD 76.41	78.0	10.0	66.41

EXHIBIT 1-2

ENVIRONMENTAL COMPLIANCE
K3KI
NEWCASTLE, WYOMING
ECC Form 301
RECY 2003

This proposal has been evaluated with respect to the RF radiation exposure guidelines contained in ANSI Standard C95.1 Bulletin 65, edition 97-01, along with Supplement A (Edition 97-01) regarding additional information for Radio and Television Broadcast Stations.

For the FM band, the MPE limit for general population/uncontrolled exposure is $0.001 \text{ mW/cm}^2 \times \text{cm}$ (200 $\mu\text{W/cm}^2 \times \text{cm}$) and the limit for the occupational controlled exposure is $0.1 \text{ mW/cm}^2 \times \text{cm}$ (1000 $\mu\text{W/cm}^2 \times \text{cm}$).

Worst case estimates were used for figures 6 thru 13. Supplement A, Section 2.6, each case with a proposed Effective Radiated Power of 100 Kilowatts horizontal (total of 100,000 watts) at a Center of Radiation of 29 Meters above ground (this is minus 2 Meters from the proposed C.R. allowing for the average height of a human on the ground) utilizing a 6 Armstrong 727-14HF-AC 14 bay half wave (5) wavelength spacing, horizontally polarized, it was found that the proposed facility was within ANSI limits.

Exhibit 1-2 A of this study shows the results from the FM Model program used by the Commission. It shows that the highest power density would be 10.4202 $\mu\text{W/cm}^2 \times \text{cm}$ (10.4202 $\text{mW/cm}^2 \times \text{cm}$) at a distance of 46 Meters from the antennas at the ground.

Where accessible areas of the support structures are within the hazard zone, they will be posted with signs and protected from unauthorized access. The base of the

Exhibit 1-2 (continued)

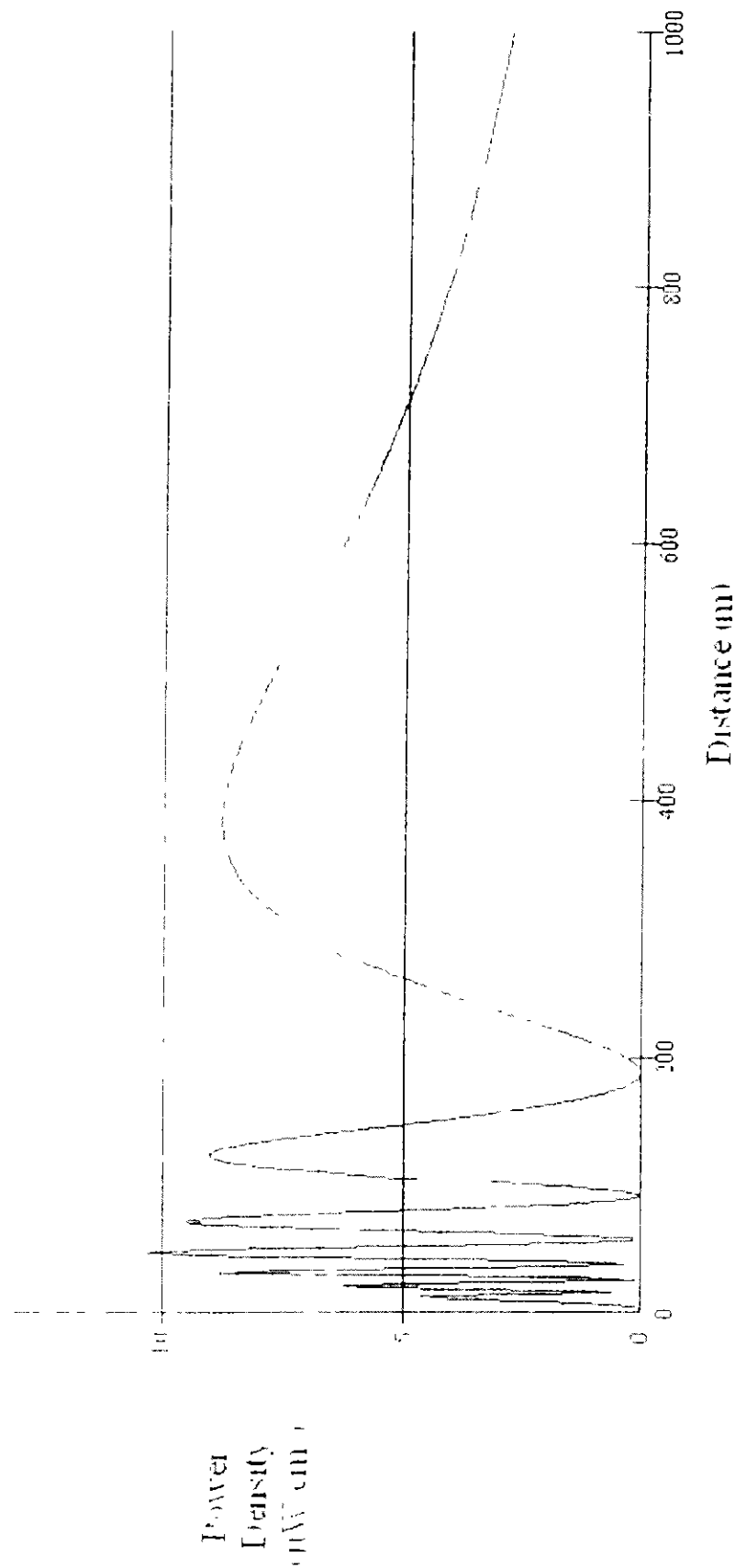
tower will be surrounded with metal fencing and again posted with RF radiation warning signs on the fencing.

The Licensee, Michael Radio Group, certifies that it will cooperate with tower personnel and other users of the tower to either reduce power to safe operating levels or cease transmissions while maintenance is performed on the tower.

Any incidence of blanketing interference resulting from the proposed operation would occur within a radius of approximately 2.0 kilometers.

The applicant assumes full responsibility for remedying the complaints of blanketing interference for a period of one year. Following the one year period of full financial obligation to satisfy blanketing complaints, the licensee shall provide technical assistance to affected persons on remedies for blanketing interference. Since the area within the blanketing contour is sparsely populated, no serious blanketing interference problems are anticipated.

Power Density vs Distance



Office of Engineering and Technology

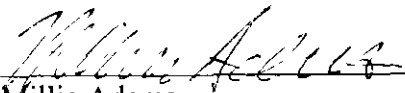
Distance (m):	1000	Antenna Type:	RCA "BFC" (EPA)
Horizontal ERP (W):	100000	Number of Elements:	14
Vertical ERP (W):	0	Element Spacing:	5
Antenna Height (m):	29		

EXHIBIT F-2A, FIGURE 1
FM MODEL STUDY
KRKI NEWCASTLE, WY
CHANNEL 258CO
100Kw ERP Horizontal only
302.5 HAAT

CERTIFICATE OF SERVICE

I, Millie Adams, in the law offices of Gammon & Grange, P.C., hereby certify that I have sent this 28th day of October, 2003, by first-class, postage prepaid, U.S. Mail, copies of the foregoing AMENDMENT TO PETITION FOR RULEMAKING to the following:

Mr. John A. Karousos
Assistant Chief, Audio Division
Office of Broadcast License Policy
Federal Communications Commission
445 12th Street, S.W., Room 3-A266
Washington, D.C. 20554



Millie Adams